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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Aguzzi, et al.

Serial No.: 09/554,567

Filed: May 16, 2000

For: DIAGNOSTIC AND THERAPEUTICS
FOR TRANSMISSABLE SPONGIFORM
ENCEPHALOPATHY AND METHODS
FOR THE MANUFACTURE OF NON-
INFECTIVE BLOOD PRODUCTS AND
TISSUE DERIVED PRODUCTS

Group Art Unit: (not yet assigned)

Examiner: (not yet assigned)

Case No.: 6458.US.O1

Date: August 25, 2000

Certificate of Mailing under 37 CFR §1.8(a):

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail addressed to:

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

on August 28, 2000

Name of person signing
this certificate: Wanda E. Smith

Signature:

Wanda E. Smith**TRANSMITTAL LETTER**

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed herewith is the Response to Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US) A. Aguzzi, *et al.* in the above-identified patent application entitled "DIAGNOSTIC AND THERAPEUTICS FOR TRANSMISSABLE SPONGIFORM ENCEPHALOPATHY AND METHODS FOR THE MANUFACTURE OF NON-INFECTIVE BLOOD PRODUCTS AND TISSUE DERIVED PRODUCTS", Serial No. 09/554,567, filed May 16, 2000, and previously filed through the Patent Cooperation Treaty (PCT) on 16 December 1998, having received International Application Number PCT/EP98/08271.

Also enclosed are:

Notification of Missing Requirements under 35 USC 371 in the United States
Designated/Elected Office (DO/EO/US)
Executed Declaration & Power of Attorney – 3 pgs.
Request for Two Month Extension of Time
Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional patent application or processing fees required under 37 C.F.R. §§1.16 or 1.17 as well as any other fees associated with this communication for which full payment has not been tendered to Deposit Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**

ABBOTT LABORATORIES
0377/AP6D-2
100 Abbott Park Road
Abbott Park, IL 60064-6050
Phone: (847) 935-7550
Fax No.: (847) 938-2623

Respectfully submitted,
A. Aguzzi, et al.

Mimi C. Goller
Mimi C. Goller
Reg. No.: 28,128
Attorney for Applicants

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Aguzzi, et al.

Serial No.: 09/554,567

Filed: May 16, 2000

For: **DIAGNOSTIC AND THERAPEUTICS
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**Box PCT
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Washington, D.C. 20231**

on August 28, 2000

Name of person signing
this certificate: Wanda E. Smith

Signature: Wanda E. Smith

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office, enclosed please find an executed copy of the Declaration and Power of A. Aguzzi, *et al.* in the above-identified patent application entitled **"Diagnostic and Therapeutics for Transmissible Spongiform Encephalopathy and Methods for the Manufacture of Non-infective Blood Products and Tissue Derived Products"**, Serial No. 09/554,567, filed May 16, 2000, and previously filed through the Patent Cooperation Treaty (PCT) on 16 December 1998, having received International Application Number PCT/EP98/08271.

The Commissioner is hereby authorized to charge the surcharge of \$130.00 for providing the declaration later than 30 months from the priority date and any additional patent application or processing fees required under 37 C.F.R. §§1.16 or 1.17 as well as any other fees associated with this communication for which full payment has not been tendered to Deposit Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**

ABBOTT LABORATORIES
0377/AP6D-2
100 Abbott Park Road
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Respectfully submitted,
A. Aguzzi, et al.

Mimi C. Goller
Mimi C. Goller
Reg. No.: 28,128
Attorney for Applicants



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/554567

AGUZZI

A

6458.US.01

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100 ABBOTT PARK ROAD
ABBOTT PARK, IL 60064 6050

INTERNATIONAL APPLICATION NO.

PCT/EP98/08271

I.A. FILING DATE

PRIORITY DATE

16 DEC 98

16 DEC 97

DATE MAILED:

12 JUN 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Deborah Williams

Telephone: 703-305-3744